

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, LLC,

Plaintiff,

v.

KENNETH R. LAY, in his official capacity as
Secretary of the North Carolina Department of
Revenue,

Defendant.

No. 2:10-cv-00664-MJP

**STIPULATION AND ORDER
EXTENDING TIME FOR RULE
26(f) CONFERENCE, INITIAL
DISCLOSURES AND JOINT
STATUS REPORT**

NOTE ON MOTION CALENDAR:
JULY 7, 2010

STIPULATION

The parties stipulate and agree as follows:

1. Defendant Kenneth R. Lay intends to file a Motion to Dismiss on July 12, 2010, *see* Docket 20, which under the local rules will be noted on the motion calendar for Friday August 6, 2010.

2. Plaintiff Amazon.com LLC ("Amazon") intends to file a Motion for Summary Judgment, which under the local rules will also be noted on the motion calendar for Friday August 6, 2010.

3. Various individuals represented by the American Civil Liberties Union filed a motion to intervene, Docket 21, which is re-noted on the motion calendar for July 23, 2010. Docket 38.

4. The Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Docket 18) establishes the following deadlines:

Discovery	Deadline	Interval
Rule 26(f) Conference	July 8, 2010	+0 days
Initial Disclosures	July 15, 2010	+7 days
Joint Status Report	July 22, 2010	+7 days

5. As both the defendant and the plaintiff intend to file dispositive motions at the very outset of the case, and applicable discovery, disclosures and scheduling will depend on the Court's ruling on the dispositive motions and the pending motion to intervene, the parties respectfully request the Court to postpone the various discovery deadlines established by Docket 18 until the Court issues its order(s) on the dispositive motions. The parties have also notified movant-intervenors who have no objection.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED subject to the Court's approval that:

(a) The deadline for the Rule 26(f) conference deadline will be 30 days from when the Court issues its order(s) on the dispositive motions noted for motion on August 6, 2010;

(b) Initial Disclosures will be due 7 days after the Rule 26(f) conference; and

(c) The Joint Status report will be due 7 days after the Rule 26(f) conference.

DATED this 7th day of July, 2010.

**NORTH CAROLINA ATTORNEY
GENERAL ROY COOPER**

Tiare B. Smiley (*pro hac vice*)
 Special Deputy Attorney General
 N.C. State Bar No. 7719
 Telephone: (919) 716-6900
 Facsimile: (919) 716-6763
tsmiley@ncdoj.gov

Kay Linn Miller Hobart (*pro hac vice*)
 Special Deputy Attorney General
 N.C. State Bar No. 16746
 Telephone: (919) 716-6550
khobart@ncdoj.gov

McKAY CHADWELL, PLLC

By: *s/ Thomas M. Brennan*
 Michael D. McKay, WSBA # 7040
 Thomas M. Brennan, WSBA #30662
 600 University Street, Suite 1601
 Seattle, WA 98101
 Telephone: (206) 233-2800
 Facsimile: (206) 233-2809
 Email: mdm@mckay-chadwell.com
tmb@mckay-chadwell.com

Attorneys for Defendant Kenneth R. Lay

DAVIS WRIGHT TREMAINE LLP

Laura R. Handman (*pro hac vice*)
 Robert G. Scott, Jr. (*pro hac vice*)
 Elizabeth J. Soja (*pro hac vice*)
 1919 Pennsylvania Ave., NW, Suite 200
 Washington, DC 20006
 Telephone: (202) 973-4224
 Facsimile: (202) 973-4499
 Email: laurahandman@dwt.com
bobscott@dwt.com
elizabethsoja@dwt.com

DAVIS WRIGHT TREMAINE LLP

By: *s/ Steven P. Caplow*
 Steven P. Caplow, WSBA #19843
 1201 Third Avenue, Suite 2200
 Seattle, WA 98101-3045
 Telephone: (206) 622-3150
 Facsimile: (206) 757-7700
 Email: stevenaplow@dwt.com

Attorneys for Plaintiff Amazon.com LLC

ORDER

Based on the foregoing stipulation of the parties and good cause appearing, therefore it is so ordered that:

(a) The deadline for the Rule 26(f) conference deadline will be 30 days from when the Court issues its order(s) on the dispositive motions noted for motion on August 6, 2010;

(b) Initial Disclosures will be due 7 days after the Rule 26(f) conference; and

(c) The Joint Status report will be due 7 days after the Rule 26(f) conference.

IT IS SO ORDERED this 9th day of July, 2010.



Marsha J. Pechman
United States District Judge